

Congress of the United States

House of Representatives

Washington, D.C. 20515

July 25, 1978

Dear Colleague:

H.R. 7308, the Foreign Intelligence Surveillance Act, will be considered on the Floor within the next two weeks. We believe that the bill is seriously flawed and therefore, if not substantially modified, it should be opposed.

Under the guise of reform, this measure is an overreaction. It would take from the President the power to use electronic means to gather, in the United States, foreign intelligence information vital to our foreign policy and security interests. This presidential prerogative, based on sound constitutional principles, would be transferred to a newly established "Special Court". An individual judge of this court would then be in a position to authorize -- or refuse to authorize -- foreign intelligence electronic surveillance. This is wrong.

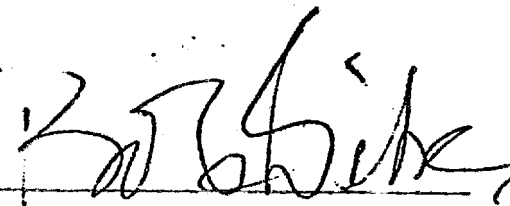
Certainly, it cannot be denied that electronic surveillance in the national security area can be abused -- if unregulated. However, it is not the appropriate response to mandate a judicial warrant for such activities where directed against foreign powers and their agents. A better, more reasoned approach would set strict guidelines mandating written authorization from the most senior members of the Executive Branch, and it would establish meaningful congressional oversight.


This subject needs sensitive treatment, for we are dealing with important intelligence and counterintelligence activities which are vital to our foreign policy and security interests. The unprecedented injection of the courts is unnecessary and unwise, and it could very well unduly burden the legitimate activities of our intelligence agencies.

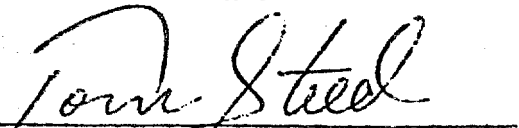
For many reasons -- which certainly cross party lines -- H.R. 7308 is a bad bill. Without substantial changes, H.R. 7308 should be opposed.

Sincerely yours,


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(D) Omar Burrell, Oklahoma


(D) Tom Steed, Oklahoma

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R-16
D-21